

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

UNITED STATES OF AMERICA

VS.

ORASAMA ANDREWS,

Defendant

NO. 5: 08-CR-72 (HL)

VIOLATIONS: Drug Related

ORDER OF DETENTION PENDING TRIAL

In accordance with the Bail Reform Act, 18 U.S.C. §3142(f), a DETENTION HEARING was this day held in the above-captioned case before the undersigned. The defendant was represented by Mr. Reza Sedghi of the Macon Bar; the United States was represented by Assistant U. S. Attorney Michael T. Solis. Based upon the evidence proffered to the court by counsel for the government and counsel for the defendant, as well as the contents of the Memorandum of the U. S. Probation Office dated February 20, 2009, I conclude that the following facts require the detention of the defendant pending the trial of this case.

PART I - FINDINGS OF FACT

- ☒ (1) There is PROBABLE CAUSE to believe that the defendant has committed an offense
- ☒ for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances Act.
- ☐ under 18 U.S.C. §924(c).
- ☒ (2) The defendant has not rebutted the presumption established by finding (1) that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

ALTERNATIVE FINDINGS

- ☒ (1) There is a serious risk that the defendant will not appear.
- ☒ (2) There is a serious risk that the defendant will endanger the safety of another person or the community.

PART II - WRITTEN STATEMENT OF REASONS FOR DETENTION

Applying the factors set forth in 18 U.S.C. §3142(g), I find that the evidence proffered at the DETENTION HEARING, as supplemented by information contained in the Memorandum of the U. S. Probation Office dated February 20, 2009, establishes by clear and convincing evidence that no condition or combination of conditions set forth in 18 U.S.C. §3142(c) will reasonably assure the future appearance of defendant Andrews or the safety of the community were he to be released from custody at this time. The offenses charged against him are serious drug felonies for which long-term incarceration can be expected if he is convicted. His estimated federal sentencing guideline range computed by the U. S. Probation Office is 360 months to LIFE in prison if he is convicted. The defendant possesses a criminal arrest and conviction record going back to 1991 which includes drug convictions in 1994 in both the Superior Court of Butts County and the Superior Court of Henry County. In addition, he is currently under supervised release in the U. S. District Court for the Middle District of Georgia in Case No. 5:01-CR-56 (WDO) on a 2003 conviction for DISTRIBUTION OF CRACK COCAINE. A petition seeking revocation of supervised release has been filed in that case.

For the foregoing reasons, the undersigned finds that defendant Andrews would pose both a serious risk of flight and a serious danger to the community were he to be released from custody. He has been charged with similar felony drug offenses as that for which was convicted in this court in 2003 and is not a good candidate for pretrial supervision. Pretrial detention is thus mandated. IT IS SO ORDERED AND DIRECTED.

**PART III - DIRECTIONS REGARDING DETENTION**

The defendant is hereby committed to the custody of the Attorney General of the United States or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

SO ORDERED, this 25<sup>th</sup> day of FEBRUARY, 2009.



A handwritten signature in black ink, appearing to read "Claude W. Hicks, Jr.", written in a cursive style.

**CLAUDE W. HICKS, JR.**  
**UNITED STATES MAGISTRATE JUDGE**